

Attachment A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

FILED

JUN 02 2025

U.S. DISTRICT COURT-WVND
CLARKSBURG, WV 26301

Aron Freeland

Your full name

STATE CIVIL RIGHTS COMPLAINT
PURSUANT TO 42 U.S.C. § 1983

v.

Civil Action No.: 5:25-cv-122
(To be assigned by the Clerk of Court)

Charles Gore, Superintendent, et al, Bailey, Mazzone + Prince

Enter above the full name of defendant(s) in this action

I. JURISDICTION

This is a civil action brought pursuant to 42 U.S.C. § 1983. The Court has jurisdiction over this action pursuant to Title 28 U.S.C. §§ 1331 and 2201.

II. PARTIES

In Item A below, place your full name, inmate number, place of detention, and complete mailing address in the space provided.

A. Your Name: Aron Freeland

Inmate No.: 3404701

Address: Stevens Correctional Center, 795 Virginia Ave
Welch, WV 24801

In Item B below, place the full name of each defendant, his or her official position, place of employment, and address in the space provided.

B. Name of Defendant: Charles Gore, Superintendent

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Position: Superintendent

Place of Employment: Stevens Correctional Center

Address: 795 Virginia Ave, WV 24801

Was this Defendant acting under the authority or color of state law at the time these claims occurred? ☒ Yes ☐ No

If your answer is "YES," briefly explain: Defendant Gore is responsible for not complying with the state & federal constitution under the section one of the 14th Amendment

B.1 Name of Defendant: Lance Yardley,
Acting
Position: Commissioner of West Virginia Division of Corrections
Place of Employment: WVDCR CENTRAL OFFICE
Address: 1409 Greenbrier St., Charleston, WV 25311

Was this Defendant acting under the authority or color of state law at the time these claims occurred? ☒ Yes ☐ No

If your answer is "YES," briefly explain: Defendant Yardley has the sole authority and duty to comply with the state and federal constitution as well as state statutes and established case law

B.2 Name of Defendant: Leslie Hill
Position: Director of Inmate Classification & Movement Coordinator
Place of Employment: WVDCR CENTRAL OFFICE
Address: 1409 Greenbrier St., Charleston, WV 25311

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Was this Defendant acting under the authority or color of state law at the time these claims occurred? ☒ Yes ☐ No

If your answer is "YES," briefly explain: Leslie Hill is the inmate movement coordinator. She is the Director of classification. She is in charge of housing inmates in WVDCL. She has refused to transfer me to Work Release or Pruntytown Corr. Center where I can work, Rehabilitate, & take classes

B.3 Name of Defendant: _____

Position: _____

Place of Employment: _____

Address: _____

Was this Defendant acting under the authority or color of state law at the time these claims occurred? ☐ Yes ☐ No

If your answer is "YES," briefly explain: _____

B.4 Name of Defendant: _____

Position: _____

Place of Employment: _____

Address: _____

Was this Defendant acting under the authority or color of state law at the time these claims occurred? ☐ Yes ☐ No

If your answer is "YES," briefly explain: _____

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B.5 Name of Defendant: _____
Position: _____
Place of Employment: _____
Address: _____

Was this Defendant acting under the authority or color of state law at the time these claims occurred? ☐ Yes ☐ No

If your answer is "YES," briefly explain: _____

III. PLACE OF PRESENT CONFINEMENT

Name of Prison/Institution: Stevens Correctional Center

- A. Is this where the events concerning your complaint took place?
☒ Yes ☒ No
AND

If you answered "NO," where did the events occur?

The events occurred throughout the entire WVDOR, but they are occurring here at Stevens Correctional Center

- B. Is there a prisoner grievance procedure in the institution where the events occurred? ☒ Yes ☐ No
- C. Did you file a grievance concerning the facts relating to this complaint in the prisoner grievance procedure? ☒ Yes ☐ No
- D. If your answer is "NO," explain why not _____

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- E. If your answer is "YES," identify the administrative grievance procedure number(s) in which the claims raised in this complaint were addressed and state the result at level one, level two, and level three. **ATTACH GRIEVANCES AND RESPONSES:**

LEVEL 1 _____

LEVEL 2 _____

LEVEL 3 _____

The grievances can be obtained through my lawyer, Ms. Frazier

IV. **PREVIOUS LAWSUITS AND ADMINISTRATIVE REMEDIES**

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action? ☒ Yes ☐ No

State Habeas Petition

- B. If your answer is "YES", describe each lawsuit in the space below. If there is more than one lawsuit, describe additional lawsuits using the same format on a separate piece of paper which you should attach and label: "IV PREVIOUS LAWSUITS"

1. Parties to this previous lawsuit:

Plaintiff(s): Aron Freeland

Defendant(s): William K. Marshall

2. Court: Kanawha County Circuit Court
(If federal court, name the district; if state court, name the county)

3. Case Number: 24-P-74

4. Basic Claim Made/Issues Raised: ① Denial of Equal Protection;
② Denial of Ex Post Facto; ③ Unconstitutional statute & Policy Directive

5. Name of Judge(s) to whom case was assigned: Hon. Stephanie Abraham

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6. Disposition: It was transferred to Randolph County Cir. Ct.
(For example, was the case dismissed? Appealed? Pending?)
7. Approximate date of filing lawsuit: 2024 in Kanawha County
8. Approximate date of disposition. ATTACH COPIES
- C. Did you seek informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part B? ☒ Yes ☐ No
- D. If your answer is "YES," briefly describe how relief was sought and the result. If your answer is "NO," explain why administrative relief was not sought.
I filed the grievances while housed at Mt. Olive Correctional Complex. I exhausted my administrative remedies.
- E. Did you exhaust available administrative remedies? ☒ Yes ☐ No
- F. If your answer is "YES," briefly explain the steps taken and attach proof of exhaustion. If your answer is "NO," briefly explain why administrative remedies were not exhausted.
I did not get the relief sought in the grievance. I then appealed to the warden then to the commissioner of corrections.
- G. If you are requesting to proceed in this action *in forma pauperis* under 28 U.S.C. § 1915, list each civil action or appeal you filed in any court of the United States while you were incarcerated or detained in any facility that was dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted. Describe each civil action or appeal. If there is more than one civil action or appeal, describe the additional civil actions or appeals using the same format on a separate sheet of paper which you should attach and label "G. PREVIOUSLY DISMISSED ACTIONS OR APPEALS"

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1. Parties to previous lawsuit:

Plaintiff(s): Arin Freeland

Defendant(s): Charles Gore, Superintendent

2. Name and location of court and docket number:

McDowell County Circuit Court - Case No. 25-C-11

3. Grounds for dismissal: ☐ frivolous ☐ malicious
☐ failure to state a claim upon which relief may be granted

4. Approximate date of filing lawsuit: Feb 4, 2025

5. Approximate date of disposition: Still pending in McDowell County Circuit Court, under case No. 25-C-11 & Randolph County case No. unknown

V. STATEMENT OF CLAIM

State here, as **BRIEFLY** as possible, the facts of your case. Describe what each defendant did to violate your constitutional rights. **You must include allegations of specific wrongful conduct as to EACH and EVERY defendant in the complaint.** Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, you must number and set forth each claim in a separate paragraph. **UNRELATED CLAIMS MUST BE RAISED IN A SEPARATE CIVIL ACTION. NO MORE THAN FIVE (5) TYPED OR TEN (10) NEATLY PRINTED PAGES MAY BE ATTACHED TO THIS COMPLAINT. (LR PL 3.4.4)**

CLAIM 1: DENIAL OF 14TH AMENDMENT AND ARTICLE III § 10 OF WEST VIRGINIA CONST. DUE TO THE STATE LEGISLATURE ENACTING WVA. CODE 15A-4-17 THAT VIOLATES EX POST FACTO UNDER ARTICLE I § 9 of U.S. CONSTITUTION

Supporting Facts: In 2018, the WV legislature enacted Wv code 15A-4-17 where inmates can apply for extra good time. The PCR refused to implement a Policy. I filed a Mandamus in Kanawha County Cir. Ct. The Circuit Court denied the petition. I appealed it to the WVSCA. They granted the appeal, in Oct 2023. Following the WVSCA order the PCR revised policy 15A-4-17. The currently enacted policy violates ex post facto & equal protection of the 14th Amendment. It is based on Wv code 15A-4-17. This matter is currently pending in Randolph County circuit court AND McDowell County Circuit Court. McDowell County case No. 25-C-11.

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CLAIM 2: _____

Supporting Facts: _____

CLAIM 3: _____

Supporting Facts: _____

CLAIM 4: _____

Supporting Facts: _____

CLAIM 5: _____

Supporting Facts: _____

VI. INJURY

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Describe **BRIEFLY and SPECIFICALLY** how you have been injured and the exact nature of your damages.

- ① I cannot take programs or classes over again because I already completed them. DCR Policy 151.06 dated Feb 2025 prohibits me from taking them over again. ② I cannot apply for extra good time per Wv code 15A-4-17 because it is not retroactively applied.

VII. RELIEF

State **BRIEFLY and EXACTLY** what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.

- ① To order my immediate release from incarceration in the WvDCR
 ② To ^{be} awarded damages for every day I continue to be in prison & denied the equal benefits of the law as other inmates confined. That I'd be awarded \$100 per day for past current & future damages for everyday I am denied my constitutional rights.
 ③ For immediate transfer to work release at Parkersburg, Beckley or Charleston

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he/she is the plaintiff in the above action, that he/she has read the above complaint and that the information contained in the complaint is true and accurate. Title 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Executed at Stevens Correctional Center on 5/29/25.
 (Location) (Date)

Oron Freedland
 Your Signature

Attachment E

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

Your full name

v.

Civil Action No.: 5:25-cv-122
Bailey, Mazzone, Prince

Enter above the full name of defendant(s) in this action

Certificate of Service

I, _____ (your name here), appearing *pro se*, hereby certify that
I have served the foregoing 42 USC Complaint (title of document
being sent) upon the defendant(s) by depositing true copies of the same in the United States
mail, postage prepaid, upon the following counsel of record for the defendant(s) on
_____ (insert date here):

(List name and address of counsel for defendant(s))

(sign your name)